

REMARKS

This Amendment is made in reply to the Examiner's Office Action of April 1, 2005. Claims 1, 2, 17, 23, 47, and 48 have been amended. Claims 24-29 and 32-45 were previously withdrawn. Claims 1-23, 30, 31, and 46-48 remain pending.

As stated in the Applicants' reply filed 18 January 2005, Applicants elected examination of the species of the invention set forth in Example 1 concerning the thienylene-arylene polymer (2) as listed in claim 21. As a result, Applicants elected from the Examiner's listing of possible groups of distinct species the following:

- A-1, with the number 2,
- B-1, with the number 1,
- C-2, with the number 2; and,
- D-1.

In the Office Action, the Examiner stated that the prior reply was not fully responsive because it did not indicate which claims read on the elected species and the new claims (46-48) did not indicate which species they read on.

Claims 1-7, 11-15, 17-19, 21, 22, 30, 31, and 46-48 read on the elected species. Claims 46-48 also read on the thienylene-arylene polymer (2) as listed in claim 21.

The Examiner also stated that new claim 46 was not generic because subcombinations are **not** generic to the combination using the subcombination (emphasis in original) (referring to MPEP § 806.04(c)-(d)). Applicants submit that new claim 46 is generic.

Please note that MPEP § 806.04(c) is directed to a situation where two different combinations are disclosed, having a subcombination common to each. However, claim 46 does not define only the subcombination; it defines a combination of *two* different subcombinations: a thienylene unit and an arylene unit. Therefore, 806.04(c) would not apply to these claims. Applicants also submit that the addition of steps or features alone cannot prevent the independent claim from being generic; if this were true, *any* dependent claim would prevent the independent claim from being generic because a dependent claim must limit the scope of the independent claim or be rejected under 37 CFR 1.75(c) and that limitation must be done by reciting additional steps or features.

Claim 46 also meets the definitions of a generic claim as given in MPEP 806.04(d). It includes no material element additional to those recited in the species claims and comprehends within its confines the organization covered in each of the species.

For the above reasons, it is submitted claim 46 is generic.

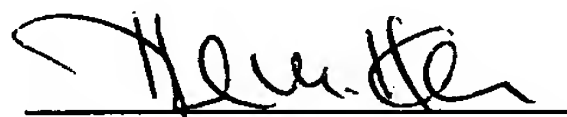
Applicants note that the amendments of claims 1, 2, 17, 47, and 48 were made solely to clarify the meaning of the claims and do not narrow their scope. Basis for the amendment of claims 1 and 2 can be found on page 12, lines 9-16 of the specification. Basis for the amendments of claim 17 can be found on page 15, lines 19-25 of the specification. Basis for the amendments of claims 47 and 48 can be found in both of those locations.

CONCLUSION

For the above reasons, Applicants submit all pending claims (1-23, 30, 31, and 46-48) are in condition for allowance. Withdrawal of the rejections and issuance of a Notice of Allowance is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby authorized to call Richard M. Klein, at telephone number 216-861-5582, Cleveland, OH.

Respectfully submitted,
FAY, SHARPE, FAGAN, MINNICH
& McKEE LLP



Richard M. Klein (Reg. No. 33,000)
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114
(216) 861-5582